

PUBLIC NOTICE



US Army Corps
of Engineers
Kansas City District

Issue Date: July 13, 2000

**PUBLIC NOTICE
ANNOUNCING NEW REGIONAL CONDITIONS
AND
SECTION 401 WATER QUALITY CERTIFICATION CONDITIONS
FOR THE NATIONWIDE PERMITS
IN KANSAS AND MISSOURI**

On 9 March 2000, the Corps published a notice in Part III of the Federal Register (65 FR 12818 – 12899) announcing the issuance of five new Nationwide Permits (NWP), the modification of six existing NWPs, the modification of nine NWP general conditions, and the adoption of two new NWP general conditions. These NWPs are activity-specific and authorize certain activities in non-tidal waters of the United States that have minimal adverse effects on the aquatic environment. This Federal Register notice is available for viewing at the Kansas City District Office, Regulatory Branch, 601 East 12th Street, 700 Federal Building, Room 706, Kansas City, Missouri, or on the Internet at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/>. As an alternate, World Wide Web users can access the Federal Register through the U.S. Government Printing Office at http://www.access.gpo.gov/su_docs/aces/aces140.html. The new and modified NWPs and general conditions became effective on 7 June 2000.

The Kansas City District has finalized the regional conditions, effective immediately, for the new and modified NWPs, as well as all other NWPs, in Kansas and Missouri. Regional conditions provide additional protection for the aquatic environment, by ensuring that the NWPs authorize only those activities with minimal adverse effects on the aquatic environment. Regional conditions will help ensure protection of high value waters within Kansas and Missouri. These regional conditions, specific for each state, are available for viewing at any Kansas City District Regulatory Office or on the

District's Internet web page at <http://www.nwk.usace.army.mil/conops/regulatory.htm> under the heading "Nationwide Permit Information". Kansas City District Regulatory Office contacts and boundary maps are also available on the District's Internet web page. All regional conditions presented therein, are in addition to, not in lieu of, the terms and conditions of the Nationwide Permits (NWP) as published in the 9 March 2000, Federal Register, Final Notice of Issuance and Modification of Nationwide Permits (65 FR 12818-12899), and in the December 13, 1996, Federal Register, Final Notice of Issuance, Reissuance, and Modification of Nationwide Permits (61 FR 65874).

A separate document, "Nationwide Permit Standard Operating Procedures in Kansas", has been created to provide further clarification of how the Kansas City District will implement certain aspects of the NWP program in Kansas and to provide clarification on certain NWPs or General Conditions. This document, dated 9 March 2000, is also available for viewing on the Kansas City District Internet web page.

The Missouri Department of Natural Resources, the Kansas Department of Health and Environment and the Environmental Protection Agency for tribal land in Kansas have provided the Corps the Section 401 Water Quality Certifications and Conditions for their respective areas for the new and modified NWPs. These certifications and conditions are available for viewing at any Kansas City District Regulatory Office or on the District's Internet web page at <http://www.nwk.usace.army.mil/conops/regulatory.htm> under the heading "Nationwide Permit Information". All conditions included in the water quality certification become conditions of the NWP authorization.

The Corps has also issued final decision documents for the new and modified NWPs. These documents are also available on the Internet at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/>. Furthermore, the NWP decision documents have been supplemented by the Division Engineer to address decisions concerning regional conditioning and cumulative effects of the NWPs. Supplemental decision documents for the NWPs in Kansas and Missouri are available for viewing at the Kansas City District, Corps of Engineers, Regulatory Branch, 601 E. 12th Street, 700 Federal Building, Room 706, Kansas City, Missouri 64106.

For additional information or for interested parties who do not have Internet access who wish to obtain a copy of the items described above, please contact **Mr. David R. Hibbs at 816-983-3657**.